

4909. Adulteration of tomato ketchup. U. S. * * * v. 50 Cases of Tomato Ketchup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6961. I. S. No. 11118-1. S. No. C-366.)

On October 28, 1915, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 cases, each containing 2 dozen bottles, of tomato ketchup, consigned by the Blue Grass Canning Co., Owensboro, Ky., remaining unsold in the original unbroken packages at San Antonio, Tex., alleging that the article had been shipped on or about December 13, 1913, and transported from the State of Kentucky into the State of Texas, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (on bottle) "Blue Grass Brand Tomato Catsup."

Adulteration of the article was alleged in the libel for the reason that it was composed of a partially decomposed vegetable substance.

On May 26, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

R. A. PEARSON, *Acting Secretary of Agriculture.*